

**UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

EIGHT MILE STYLE, LLC; MARTIN  
AFFILIATED, LLC,

*Plaintiffs,*

v.

SPOTIFY USA INC.; HARRY FOX  
AGENCY, LLC,

*Defendants.*

Civil Case No. 19-CV-00736

Hon. Aleta A. Trauger

SPOTIFY USA INC.,

*Third-Party Plaintiff,*

v.

KOBALT MUSIC PUBLISHING  
AMERICA, INC.,

*Third-Party Defendant.*

**SPOTIFY'S MOTION FOR LEAVE TO FILE A SUR-REPLY REGARDING  
KOBALT'S MOTION FOR ENTRY OF FINAL JUDGMENT**

Spotify respectfully moves for leave to file a short sur-reply in opposition to Kobalt's motion for entry of final judgment.

On April 18, 2025, Kobalt filed a reply in support of that motion. ECF No. 748. Kobalt's reply misconstrues not only Spotify's arguments and the record, but also a number of decisions that Kobalt cited for the first time in reply. Spotify submits that a sur-reply will clarify the issues raised by Kobalt's motion, and will therefore aid the

Court in its decisional process. If the Court is amenable to receiving a sur-reply, Spotify would file a sur-reply of no more than five pages by Friday, April 25. In the meantime, Spotify respectfully requests that the Court defer ruling on Kobalt's motion for entry of final judgment.

Spotify consulted with counsel for Kobalt regarding this motion; Kobalt does not consent.

Dated: April 22, 2025

Respectfully Submitted,

By: /s/ Aubrey B. Harwell III

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## CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was filed electronically on April 22, 2025 with the Clerk of the Court using the CM/ECF system. Notice of this filing will be sent to all parties and counsel of record by operation of the Court's CM/ECF system. Parties may access this filing through the Court's electronic filing system.

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